

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

LEHMAN BROTHERS HOLDINGS INC.,

Civ. No. 20-cv-1351 (SRN/HB)

Plaintiff,

v.

LENDINGTREE, LLC and
LENDINGTREE, INC.

Defendants.

**DECLARATION OF ZACHARY TRUMPP IN OPPOSITION
TO DEFENDANTS' MOTION TO DISMISS OR, IN THE
ALTERNATIVE, TO TRANSFER VENUE, OR TO COMPEL ARBITRATION**

I, Zachary Trumpp, declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that:

1. I have worked for Lehman Brothers Holdings Inc. ("LBHI") since February 2009. I am currently the Senior Vice President of Claims Management and have held this position since January 2013.

2. I submit this Declaration in opposition to Defendants' Motion to Dismiss, or in the Alternative, to Transfer Venue, or to Compel Arbitration.

3. This Declaration is based on my personal knowledge, my review of LBHI's business records, and the experience acquired in the ordinary course of my employment.

4. LBHI is the Plan Administrator under the Modified Third Amended Joint Chapter 11 Plan of Lehman Brothers Holdings Inc. and Its Affiliated Debtors. In that capacity, LBHI is obligated to conserve the estate's resources and maximize recoveries

for the benefit of creditors. LBHI's bankruptcy case is currently pending before the United States Bankruptcy Court for the Southern District of New York (Case No. 08-13555(SCC)). The Bankruptcy Court has overseen this sprawling bankruptcy since it was filed on September 15, 2008, involving among other things adversary proceedings in which LBHI has asserted indemnification claims against over 100 loan sellers, including against Home Loan Center ("HLC").


5. LBHI is also headquartered in New York City, with many of its key personnel located there. However, LBHI primarily conducts its residential mortgage operations through a small team of employees located in Kansas and Colorado. As such, LBHI's knowledgeable personnel and potential witnesses relevant to this dispute are primarily located in Kansas, Colorado, and New York.

6. LBHI's operations are currently limited to winding down its estate and monetizing claims and assets of the estate for the benefit of creditors. For this reason, any costs incurred in this litigation, whether for travel or otherwise, reduce the amount of distributions available to LBHI's creditors.

7. LBHI does not have any offices located in or near Charlotte, North Carolina. Nor does LBHI maintain records, personnel, or business operations in or near Charlotte.

Dated: Hutchinson, KS

October 19, 2020


Zachary Trumpp